

## **REMARKS**

Reconsideration of this application, as amended, is respectfully requested.

This application has been reviewed in light of the Office Action dated July 5, 2005. Claims 1, 3-5, 7-10, and 11-12, are currently pending in the application. As indicated above, Claims 3, 6, and 9 have been cancelled without prejudice. It is gratefully acknowledged that the Examiner has found allowable subject matter in Claims 2-4 and 6-8, and has found Claims 10-12 to be allowable, except for double patenting issues.

In the Office Action, the Examiner has provisionally rejected Claims 1-12 under judicially created obviousness-type double patenting as being unpatentable over U.S. Application No. 2001/0046878, and under judicially created obviousness-type double patenting as being unpatentable over U.S. Application No. 2002/0012326. Further, the Examiner has rejected Claims 1-12 under judicially created obviousness-type double patenting as being unpatentable over *Chang* (U.S. 6,728,551 B1), Claims 1-12 under judicially created obviousness-type double patenting as being unpatentable over *Lee et al.* (U.S. 6,731,948 B1), Claims 1, 5, and 9 under 35 U.S.C. § 102(e) as being anticipated by Admitted Prior Art (APA), and Claims 1, 5, and 9 under 35 U.S.C. § 102(e) as being anticipated by *Chen* (U.S. 5,893,035). Additionally, the Examiner has objected to the drawings.

With regard to the objection to the drawings the Examiner asserts that FIGs. 1-8 should be labeled as Prior Art. Accordingly, replacement FIGs. 1-8 are enclosed herein, which include the legend --PRIOR ART--. Therefore, it is respectfully requested that the objection to the drawings be withdrawn.

With regard to the provisional rejections of Claims 1-12 under judicially created obviousness-type double patenting as being unpatentable over U.S. Application No. 2001/0046878, and under judicially created obviousness-type double patenting as being unpatentable over U.S. Application No. 2002/0012326, it is respectfully submitted that both of these provisional rejections are improper as both published applications have issued as U. S. Patents 6,901,268 and 6,728,551,

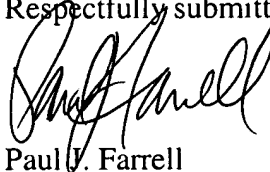
respectively. Therefore, at this time, a provisional double patenting rejection that cites these patents is improper. Accordingly, it is respectfully requested that the provisional rejections of Claims 1-12 be withdrawn.

With regard to the rejections of Claims 1-12 under judicially created obviousness-type double patenting as being unpatentable over *Chang* (6,728,551 B1) and *Lee*, enclosed herein is a Terminal Disclaimer for each of the patents. Additionally, in the interest of time, also enclosed is a Terminal Disclaimer for *Chang* (6,901,268), i.e., the issued patent from U.S. Application No. 2001/0046878, such that the Examiner will not then issue a non-provisional double patenting rejection in a next Office Action.

With regard to the rejections of Claims 1, 5, and 9 as being anticipated both by APA and *Chen*, as shown above, Claims 1 and 5 have been amended to include any of the allowable subject matter cited by the Examiner in Claims 2 and 6, respectively, and Claim 9 has been cancelled without prejudice. Therefore, it is respectfully submitted that Claims 1 and 5 are in condition for allowance, and that the rejection of Claim 9 is moot. Accordingly, it is respectfully requested that the rejections of Claims 1, 5, and 9 be withdrawn.

In view of the above argument and amendment, it is respectfully submitted that all pending claims, specifically Claims 1, 3-5, 7-8, and 10-12, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul V. Farrell", written over the typed name.

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